

REMARKS

Claim 1 has been amended to recite a "non-nanotube nanowire." This amendment is supported throughout the specification, for example, on page 7, lines 7-8.

New claim 103 has been added. Support for new claim 103 can be found throughout the specification, for example, on page 17, line 22-page 18, line 25; or page 22, lines 8-9.

Claims 1-103 remain pending for examination, with claims 3-102 remaining withdrawn.

Objection to the Specification

The Patent Office has stated that the title of this application is not descriptive of the invention to which the claims are directed.

The Applicants disagree. It is believed that "Nanosensors" is descriptive of the claims in the broadest form to which the applicants are entitled. If the Patent Office continues the objection, then it is suggested that the title be amended near the close of prosecution, when the scope of allowable claims has been determined.

Rejections Under 35 U.S.C. §102(e)

Claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0179434 to Dai, et al., ("Dai").

Applicants believe that Dai does not disclose a "a non-nanotube nanowire," as recited in claim 1, as amended. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. §103

The Office Action rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over Dai in view of U.S. Patent No. 6,123,819 to Peeters, et al. ("Peeters"). Claim 2 depends from claim 1. According to the Office Action, the basis for the rejection is that Dai teaches a system meeting all of the limitations of claim 2, except for the limitation added in claim 2 and directed to a detector constructed and arranged to determine a property associated with the nanowire. The Office Action also asserts that Peeters discloses such a detector and that it would have been obvious to combine Dai and Peeters.

For the reasons explained above, the premise of the rejection (that Peeters teaches all of the limitations other than such a detector, i.e., all the limitations of claim 1, as amended) is

believed to be incorrect. Accordingly, while Applicants do not concede that there would have been any motivation to combine Dai and Peeters in the manner suggested in the Office Action, the present rejection cannot stand. Withdrawal of the rejection of claim 2 is therefore respectfully requested.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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Date: July 17, 2003

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